

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bao Tran on Friday, November 13, 2009 and Thursday, December 10, 2009.

Please AMEND the Abstract as follows:

#### **ABSTRACT**

Systems and methods are disclosed for reducing the cost of sending messages over an intermittent network of computing devices via multiple communication channels by creating a first message on a first device, the message intended to be sent to a second device over the network multiple communication channels; applying a first policy to reduce the cost of sending messages over the intermittent network of computing devices, the first policy containing one or more rules to determine whether to send the first message to the second device, each rule being a function of one or more messaging attributes of messages, channels or the system environment; and dynamically updating the first policy by sending a second message to the first device, the second message being a system message that results in the addition, deletion or other modification of the rules contained in the policy to reduce the cost of sending messages over the intermittent network of computing devices.

**IN THE CLAIMS**

Please **CANCEL** claims 2-5, 9 without prejudice or disclaimer.

Please **AMEND** claim 1 without prejudice or disclaimer.

Please **AMEND** claim 1 as follows:

1.(Currently Amended) A method for reducing the cost of sending messages over an intermittent network of computing devices via multiple communication channels, the method comprising:

(a) creating a first message on a first device, the message intended to be sent to a second device over the network multiple communication channels;

(b) applying a first policy to reduce the cost of sending messages over the intermittent network of computing devices, the first policy containing one or more rules to determine whether to send the first message to the second device, each rule being a function of one or more messaging attributes of messages, channels or the system environment; and

(c) dynamically updating the first policy by sending a second message to the first device, the second message being a system message that results in the addition, deletion or other modification of the rules contained in the policy

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to reduce the cost of sending messages over the intermittent network of computing devices, and

creating a first transaction on the first device, the first transaction including one or more messages intended to be exchanged with the second device over the intermittent network;

wherein the first device is a server device and the second device is a wireless/mobile device;

wherein the first transaction is achieved between the wireless/mobile device and the server by breaking up a transmission such that the wireless/mobile device does not have to wait until the first transaction is completed before relinquishing network connection with asynchronous messaging.

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### ***.Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Barbara N Burgess/  
Examiner, Art Unit 2457

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Examiner  
Art Unit 2457

November 19, 2009

/Moustafa M Meky/

Primary Examiner, Art Unit 2457